

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**Nathan Roberts and Freedom Truck
Dispatch LLC**, on behalf of themselves
and all others similarly situated,

Plaintiffs,

v.

**Progressive Preferred Insurance
Company; Progressive Casualty
Insurance Company; Circular Board
Inc.,**

Defendants.

Case No. 1:23-cv-01597

Judge Patricia A. Gaughan
Magistrate Judge James E. Grimes, Jr.

**Combined Unopposed Motion, and
Memorandum in Support of Motion, for
Leave to File a Consolidated, 30-page
Response to the Defendants' Motions to
Dismiss**

This case involves two classes of defendants: the “Progressive Defendants” (Progressive Preferred Insurance Company and Progressive Casualty Insurance Company) and Circular Board Inc. Both classes of defendants filed motions to dismiss. *See* Progressive Defendants’ Mot. to Dismiss, R.34, PageID#326; Circular Board’s Mot. to Dismiss, R.35, PageID#359. The plaintiffs are entitled to file separate 20-page briefs responding to each motion. They would prefer, however, to file one consolidated 30-page brief responding to both motions simultaneously. Because Local Rule 7.1(f) forbids the plaintiffs to do so without a court order, the plaintiffs move for an order allowing them to file a consolidated, 30-page response to the plaintiffs’ motions to dismiss. The defendants, through counsel, responded that they do not oppose this request.

CONCLUSION

The Court should enter an order allowing the plaintiffs to file one consolidated, 30-page response to the defendants' motions to dismiss.

Dated: February 27, 2024

Respectfully submitted.

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CERTIFICATE OF COMPLIANCE

I certify that this combined motion and memorandum in support complies with the track and page-number limitations required by Local Rule 7.1(f) for cases that have not yet been assigned to a track.

/s/ Benjamin M. Flowers

BENJAMIN M. FLOWERS

*Counsel for Plaintiffs and
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CERTIFICATE OF SERVICE

I certify that, on February 27, 2024, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic-filing system. Parties may access this filing through the Court's system.

/s/ Benjamin M. Flowers
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